



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF:

Inventor : Mitchell R. Swartz

Serial no. 09/ 750, 480

Filed: 12/28/00

For: **METHOD AND APPARATUS
TO MONITOR LOADING
USING VIBRATION**

PAPER: 5 (Applicant's Count)

Group Art Unit:3641

Examiner: Behrend, H.

DUPLICATE

This is a continuation of Serial no. 07/ 371,937

Filed: 06/27/89

February 12, 2002

**Applicant's Response to Examiner's
Unsigned Unnumbered Notice**

REMARKS

1. This is Applicant's Response to the Office's Notice dated 1/16/02 (Exhibit A, attached) which was unsigned and unnumbered.
2. Applicant thanks the Examiner for the attention to detail. Applicant reminds the Examiner that his Notice is inconsistent with the Office's previous actions of this invention, and that the Examiner has not addressed the issues which the Applicant brought up (*infra*).
3. Applicant acknowledges the objection to the drawings. Said objections are noted and will be corrected after allowance.

COMMENTS

RESPONSE AND COMPLIANCE REGARDING SECTION 2

4. The Examiner states:

"The reply filed on 6/4/01 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): The 6/4/01 response failed to elect a specie from the grouping set forth in section 2 on page 2 of the 5/7/01 Office action, and, to provide a

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